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10 Attorneys for Plaintiff
11 United States of America

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13 IN THE UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,

16 CASE NO. 1:20-CR-00212 ADA-BAM

17 Plaintiff,

18 v.
19 STIPULATION TO VACATE TRIAL DATE, AND
20 EXCLUDE TIME PERIODS UNDER THE SPEEDY
21 TRIAL ACT; [PROPOSED] ORDER

22 MIGUEL ZUNIGA ARTEAGA,
23 ARMANDO MARTINEZ,
24 MIGUEL ANGEL SANCHEZ-MEZA,
25 JUAN VIZUETT-RESENDIZ, and
VINCENTE SALVADOR ARENAS-GARCIA,

26 CURRENT DATE: December 14, 2022
COURT: Hon. Ana de Alba

27 Defendants.

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19 STIPULATION

20 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
21 through defendant's counsel of record, hereby stipulate as follows:

22 1. By this stipulation, the government and defendant now move to vacate the trial
23 confirmation and jury trial set for October 17, 2023, and set a further status conference date on October
24 25, 2023, and to exclude time between December 14, 2022, and October 25, 2023, under Local Code T4.

25 2. The parties agree and stipulate, and request that the Court find the following:
26 a) The parties represent that the attorney for the government recently was reassigned
this matter.

27 b) No plea agreement has been extended despite the age of this matter.

- 1 c) The government plans to provide counsel and defendant with a plea agreement
2 before the requested status conference date.
- 3 d) Counsel for defendant desires additional time to further review discovery, discuss
4 potential resolution with his/her client and the government, and investigate and prepare for trial.
- 5 e) Counsel for defendant believes that failure to grant the above-requested
6 continuance would deny him/her the reasonable time necessary for effective preparation, taking
7 into account the exercise of due diligence.
- 8 f) The parties are prepared to set a trial date upon assessment of the above
9 considerations by counsel, and if no resolution in the matter results.
- 10 g) Based on the above-stated findings, the ends of justice served by continuing the
11 case as requested outweigh the interest of the public and the defendant in a trial within the
12 original date prescribed by the Speedy Trial Act.
- 13 h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
14 et seq., within which trial must commence, the time period of December 14, 2022 to October 25,
15 2023 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
16 T4] because it results from a continuance granted by the Court at the parties' request on the basis
17 of the Court's finding that the ends of justice served by taking such action outweigh the best
18 interest of the public and the defendants in a speedy trial.
- 19 i) The parties also agree that this continuance is necessary for several reasons,
20 including but not limited to, the need to permit time for the parties to exchange supplemental
21 discovery, engage in plea negotiations, and for the defense to continue its investigation and
22 preparation, pursuant to 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv).

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1 3. Nothing in this stipulation and order shall preclude a finding that other provisions of the
2 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
3 must commence.

4 IT IS SO STIPULATED.

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6 Dated: August 24, 2023

7 PHILLIP A. TALBERT
United States Attorney

8 /s/ STEPHANIE M. STOKMAN
9 STEPHANIE M. STOKMAN
10 Assistant United States Attorney

11 Dated: August 24, 2023

12 /s/ NICHOLAS REYES
13 NICHOLAS REYES
Counsel for Defendant
MIGUEL ZUNIGA ARTEAGA

14 Dated: August 24, 2023

15 /s/ NICHOLAS REYES
16 NICHOLAS REYES
Counsel for Defendant
ARMANDO MARTINEZ

17 Dated: August 24, 2023

18 /s/ RICHARD A. BESHWATE
19 RICHARD A. BESHWATE
Counsel for Defendant
MIGUEL ANGEL SANCHEZ-
MEZA

21 Dated: August 24, 2023

22 /s/ MONICA BERMUDEZ
23 MONICA BERMUDEZ
Counsel for Defendant
JUAN VIZUETT-RESENDIZ

25 Dated: August 24, 2023

26 /s/ HARRY DRANDELL
27 HARRY DRANDELL
Counsel for Defendant
VINCENTE SALVADOR
ARENAS-GARCIA

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3 IT IS SO ORDERED.
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Dated: September 6, 2023



UNITED STATES DISTRICT JUDGE

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